

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA

GREGORY DRUMWRIGHT, *et al.*,

Plaintiffs,

v.

TERRY JOHNSON, *et al.*

Defendants.

Case No. 1:20-cv-998-CCE-LPA

**RESPONSE OF SCOTT D.
MACLATCHIE TO ORDER TO
SHOW CAUSE RE: SANCTIONS**

TO THIS HONORABLE COURT:

Defense counsel Scott D. MacLatchie hereby responds to this Court's text order to show cause issued November 11, 2021 as follows. First, I apologize to the Court for my absence at the October 25 hearing. It was not my intent to flaunt the Court's August 25 order directing all counsel to appear on October 25. I admittedly read into the order something that simply was not there, *i.e.*, that the Court's reference to "all counsel" was an effort to assure there would be at least one attorney present from each of the many law firms in the case, given that most of the parties in the case are represented by more than one firm.

Second, I apologize for not contacting the Court for clarification. I could have done so, but because I felt confident my interpretation of the Court's expectations was correct, I did not. Because I knew that Anthony Biller, who serves as lead counsel for the City of Graham defendants, would be present at the hearing, I mistakenly assumed the Court's intent behind the Order would be satisfied by the attendance of Christian Ferlan from my firm, Hall Booth Smith, even if I did not also attend.

In the end, my misinterpretation of the Court's order is my own fault. I ask the Court's forgiveness, and promise not to substitute my own interpretation for the Court's plain language going forward. If a legitimate question arises, I will seek clarification from the Court.

Dated: November 15, 2021

s/Scott D. MacLatchie
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